

Theodore W. Gandy DPR 996
Santa Clara County Jail - San Jose
885 N. San Pedro
San Jose, CA 95110

CV08-01793 SBA

OFFICE OF THE CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
1301 CLAY ST., SUITE 400S
OAKLAND, CA 94612-5212

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

NOT IN CUSTODY

FILED
JUL 23 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

9511031718 0004

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FILED

JUL 04 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

THEODORE W. GANDY,
Plaintiff,

No. C 08-01793 SBA (PR)

JUDGMENT

v.

SGT. AMOUR, et al.,
Defendants.

The Court has dismissed the present civil rights complaint without prejudice for Plaintiff's failure to provide the Court with his current address pursuant to Rule 3-11 of the Northern District Local Rules. A judgment of dismissal without prejudice is hereby entered. The Clerk of the Court shall terminate all pending motions and close the file.

IT IS SO ORDERED.

DATED: 7/1/08

Saundra B. Armstrong
SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4
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6 THEODORE W. GANDY,
7 Plaintiff,

Case Number: CV08-01793 SBA

CERTIFICATE OF SERVICE

8 v.

9 AMOUR et al,

10 Defendant.
11 _____/

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
13 Court, Northern District of California.

14 That on July 2, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
16 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
17 in the Clerk's office.

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885 N. San Pedro
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20 Dated: July 2, 2008

21 Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk
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FILED

JUL 02 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THEODORE W. GANDY,

No. C 08-01793 SBA (PR)

Plaintiff,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

v.

SGT. AMOUR, et al.,

Defendants.

Plaintiff, a state prisoner, filed the present pro se prisoner complaint under 42 U.S.C. § 1983. On April 21, 2008, mail directed to Plaintiff by the Court was returned to the Clerk of the Court with a notation that it was undeliverable. To date, Plaintiff has not updated his address with the Court or submitted any further pleadings in this case.

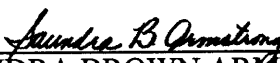
Pursuant to Northern District Local Rule 3-11 a party proceeding pro se whose address changes while an action is pending must promptly file a notice of change of address specifying the new address. See L.R. 3-11(a). The court may, without prejudice, dismiss a complaint when:

- (1) mail directed to the pro se party by the court has been returned to the court as not deliverable, and
- (2) the court fails to receive within sixty days of this return a written communication from the pro se party indicating a current address. See L.R. 3-11(b).

More than sixty days have passed since the mail directed to Plaintiff by the Court was returned as undeliverable. The Court has not received a notice from Plaintiff of a new address. Accordingly, the complaint is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern District Local Rules. Plaintiff's in forma pauperis application is DENIED as incomplete. The Clerk of the Court shall enter judgment in accordance with this Order.

IT IS SO ORDERED.

DATED: 7/1/08


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 THEODORE W. GANDY,
5 Plaintiff,

Case Number: CV08-01793 SBA

CERTIFICATE OF SERVICE

6 v.

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